

JAN 27 2009

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January 26, 2009

FACSIMILE COVER SHEET

To:	Company:	Fax Number:
Examiner Daniel Kesack	US Patent Office Group Unit No. 3691	571-273-8300
Total Pages:	24 (including cover sheet)	
From:	Thomas W. Humphrey	
Re:	i Attorney Docket: MPS-30DV3 US Application Serial No. 09/859,615 Filed May 16, 2001 System and Method For Paying Bills and Other Obligations Including Selective Payor and Payee Controls	

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Attached is an Appeal Brief. Please Apply the Appeal Brief and Extension of Time Fee to Account 23-3000.

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PAGE 1/7 * RCVD AT 1/27/2009 12:38:15 AM [Eastern Standard Time] * SVR:USPTO-EFXRF-4/14 * DNIS:2738300 * CSID:5137720052 * DURATION (mm:ss):08-04

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PATENT
ATTY. DOCKET NO. MPS-03DV3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Ex parte

Appeal No. _____

Serial No.: 09/859,615
 Filed: May 16, 2001
 Group Art Unit: 3691
 Examiner: Daniel Kesack
 Applicant: George W. Landry
 Title: System And Method For Paying Bills And Other Obligations
 Including Selective Payor And Payee Controls

Cincinnati, Ohio 45202

January 26, 2009
Via Facsimile

APPEAL BRIEF

This brief is in furtherance of Applicant's Notice of Appeal filed August 26, 2008, appealing the decision of the Examiner dated February 26, 2008 finally rejecting claims 25-58. A copy of the claims appears in the Appendix to this brief.

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I hereby certify that this correspondence and any enclosures are being electronically transmitted via facsimile on the date indicated below.

/ Thomas W. Humphrey / January 26, 2009
 Thomas W. Humphrey Date
 Reg. No. 34,353

Real Party In Interest

The real party in interest in this appeal is MIDWEST PAYMENT SYSTEMS, an Ohio corporation of having a place of business at 38 Fountain Square Plaza, Cincinnati, Ohio 45263.

Related Appeals and Interferences

There are no such appeals or interferences.

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Status of Claims**Total Number of Claims in the Application**

Claims in the application are 25-58.

Status of all the Claims

1. Claims cancelled: 1-24
2. Claims withdrawn from consideration but not cancelled: NONE
3. Claims objected to: NONE
4. Claims allowed or confirmed: NONE
5. Claims rejected: 25-58

Claims on Appeal

The claims on appeal are Claims 25-58.

Status of Amendments

There are no amendments pending.

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Summary of Claimed Subject Matter as to Independent Claim 25

Independent Claim 25 is described in the specification on page 38, lines 3-18 and Fig. 3, reference numbers 112, 120 and 150, and on page 49, line 11 through page 50, line 2, and Fig. 7 of the drawings.

As recited in claim 25, a bill paying system stores information for payees, and payors, including parameters established for enabling transfers of funds from a payee to a payor by a funds transfer generator. A communication device receives bill data from a plurality of payees and causes an interactive device to present the plurality of transactions representing bills of at least two different payees.